

TEXAS TRANSPORTATION COMMISSION

BRAZORIA County

MINUTE ORDER

Page 1 of 1

HOUSTON District

In Brazoria County, along the Gulf Intracoastal Waterway, the State of Texas (state) acquired certain land now needed by the United States of America and its assigns, acting by and through the U.S. Army Corps of Engineers (USA). The land was conveyed by an instrument recorded in Volume 89705, at Page 497, of the Official Public Records of Brazoria County, Texas.

The USA is engaged in the maintenance and construction of the Gulf Intracoastal Waterway project as authorized by acts of Congress, and it is necessary that suitable dredge material disposal areas be made available for the furtherance of such work.


The state, acting by and through the Texas Transportation Commission (commission), desires to fulfill its role as nonfederal sponsor, as authorized by the Texas Coastal Waterway Act, Transportation Code, Chapter 51, by providing the land necessary for suitable dredge material disposal sites.

Texas Government Code, Section 2204.203, authorizes the governor of the State of Texas, on the recommendation of the commission, to convey to the USA, with or without monetary consideration, an easement or other interest in land that may be needed for the construction, operation, and maintenance of such a civil works project as described above.

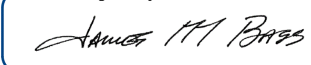
It is the opinion of the commission that it is proper and correct that the state convey an easement in the land, as described in Exhibit A, to the USA for the purposes described in this minute order.

NOW, THEREFORE, in consideration of the foregoing premises and in accordance with the provisions of the applicable statutes, it is hereby recommended by the commission that the governor of the State of Texas execute a proper instrument conveying to the United States of America and its assigns, acting by and through the U.S. Army Corps of Engineers, a 50-year easement interest in the land, as described in Exhibit A, for the purposes of depositing or storing dredge material from the main channel of the Gulf Intracoastal Waterway, with the option to automatically terminate and be null and void and of no further effect before the end of the 50-year term, on the execution by the USA and acceptance by the state of an affidavit in recordable form stating that the purposes for which the conveyance is made are no longer necessary.

Submitted and reviewed by:

DocuSigned by:

BDEF0413AC9E4EC
Director, Right of Way Division

Recommended by:

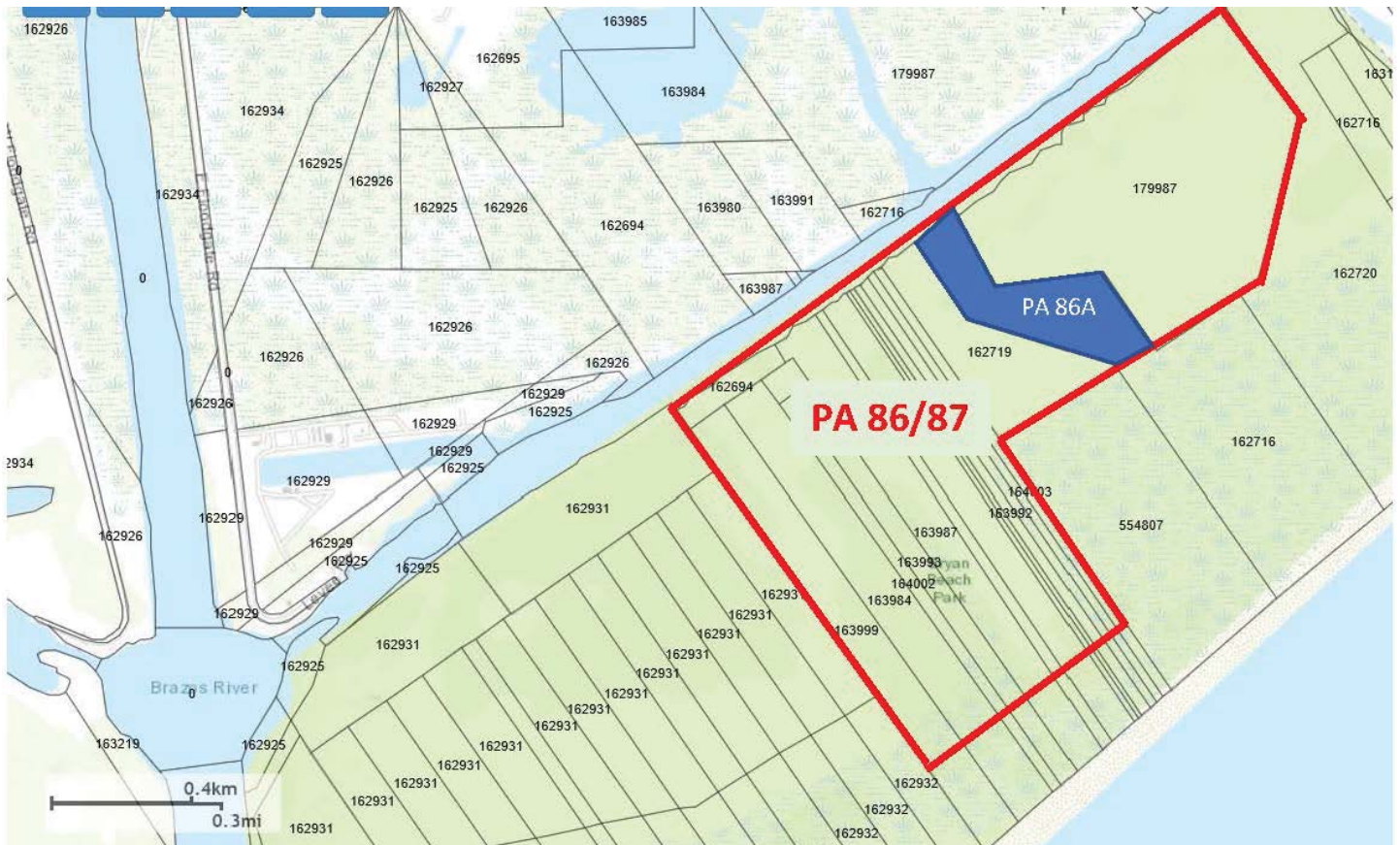
DocuSigned by:

A36620BA547D4BD...
Executive Director

115956 Feb. 25 2021

Minute	Date
Number	Passed

EXHIBIT A

Freeport Area, Brazoria County, Texas



Placement Area 86A

Being 26.290 acres (1,145,201 square feet) of land, more or less, out of and a part of a called 125 acre tract of land situated in the Edmund Andrews Survey, Abstract 143, Brazoria County, Texas; said 125 acre tract being the same land described in Exhibit II of the Partition Deed dated July 3, 1987 from Everett B. Lewis, et al to Thomas E. Lewis, et al and recorded in Volume 445, Page 124 of the Brazoria county Official Records (B.C.O.R); said 26.290 acres of land, more or less, being more particularly described by metes and bounds as follows;

Commencing at the most easterly northeast corner of said 125 are tract and being in the survey line common to the R.H. Barrow Survey, Abstract 653 and said Edmund Andrews Survey; thence as follows:

South 54° 31' 11" West, along said common survey line, a distance of 918.61 feet to a 5/8-inch iron rod in concrete set for an angle point in said common survey line and being the POINT OF BEGINNING (X=3,165, 544.57, Y= 407,636.45)

- 1.) THENCE, SOUTH 54° 31' 11" West, departing said common survey line, a distance of 401.84 feet to a 5/8-inch iron rod in concrete set in the line common to said 125 acre tract and a called 125 acre tract of land described in Exhibit I of said Partition Deed from Everett B. Lewis, et al;
- 2.) THENCE, NORTH 77° 20' 49" West, along said common line, a distance of 1,404.56 feet to a 5/8-inch iron rod in concrete set for corner;
- 3.) THENCE, NORTH 35° 28' 49" West, continuing along said common line, at 527.56 feet pass a set 5/8-inch iron rod in concrete, in all a total distance of 654.63 feet to a point in the southeasterly right-of-way line of the Intracoastal Waterway (300 feet wide);
- 4.) THENCE, NORTH 53° 53' 22" East, along said southeasterly right-of-way line, a distance of 223.67 feet to the beginning of a tangent curve to the left;
- 5.) THENCE, Northeasterly continuing along said southeasterly right-of-way line and along the arc of said curve to the left (Central Angle = 01° 35' 08"; Radius = 5,879.58 feet; Chord = North 53° 05' 48"; East 162.70 feet), an arc distance of 162.70 feet to the point of intersection with the survey line common to said R. H. Barrow Survey and said Edmund Andrews Survey;

THENCE, along said common survey line, the following courses:

- 6.) SOUTH 35° 28' 49" East, at 123.54 feet pass a set 5/8-inch iron rod in concrete, in all a total distance of 488.77 feet to a 5/8-inch iron rod in concrete set for corner;
- 7.) NORTH 76° 31' 11" East, a distance of 1,027.78 feet to a 5/8-inch iron rod in concrete set for corner;
- 8.) SOUTH 35° 28' 49" East, a distance of 833.33 feet to the POINT OF BEGINNING, containing an area of 26.290 acres (1,145,201 square feet) of land, more or less. (All bearings are based on the Texas Coordinate System, South Central Zone. All coordinates and distances are surface and may be converted to grid by multiplying by the average factor of 0.9998918).